

b. The notice shall include the proposed allocations, and information on the reasons why particular percentages or amounts of funds are allocated to the individual programs, the departments and programs affected, and other information deemed useful. Chairpersons notified shall be allowed at least two weeks to review and comment on the proposed action before the action is taken.

3. If the funds received from the federal government for the alcohol and drug abuse and mental health services block grant, pursuant to section 1 of this Act, are less than the amounts appropriated, the difference shall be divided equally between the department of substance abuse and the allocation for community mental health centers within the department of human services until the total difference is equal to six hundred forty-four thousand (644,000) dollars. If the total difference exceeds such amount, the remainder of the reduction shall be prorated according to the percentages set in section 1 of this Act.

Sec. 15. 1985 Iowa Acts, chapter 268, is amended by adding the following new section:

SEC. \_\_\_\_\_. REDESIGNATION OF CERTAIN FUNDS. Funds appropriated to a department which ceases to exist June 30, 1986 if Senate File 2175 is enacted are appropriated to its successor agency or agency responsible for the affected program after June 30, 1986.

Sec. 16. The governor may transfer funds not exceeding one million one hundred eighty thousand (1,180,000) dollars from funds already appropriated from the general fund of the state before June 30, 1986, and funds shall not revert to the general fund prior to such transfer to the department of human services for purposes specified in the 1985 Iowa Acts, chapter 268, section 9, subsection 3.

Sec. 17. This Act, being deemed of immediate importance, takes effect on and after its publication in the Ames Daily Tribune, a newspaper published in Ames, Iowa, and in the Grinnell Herald-Register, a newspaper published in Grinnell, Iowa.

Approved May 27, 1986

I hereby certify that the foregoing Act, Senate File 2304, was published in the Grinnell Herald-Register, Grinnell, Iowa, on June 2, 1986, and in the Ames Daily Tribune, Ames, Iowa, on June 6, 1986.

MARY JANE ODELL, *Secretary of State*

## CHAPTER 1251

### OFFICES OF GOVERNOR AND LIEUTENANT GOVERNOR

*First Time Passed S.J.R. 1*

**A JOINT RESOLUTION** proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 2 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 2. The governor and the lieutenant governor shall be elected by the qualified electors at the time and place of voting for members of the general assembly. Each of them shall hold office for four years from the time of installation in office and until a successor is elected and qualifies.

2. Section 3 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 3. The electors shall designate their selections for governor and lieutenant governor as if these two offices were one and the same. The names of nominees for the governor and the lieutenant governor shall be grouped together in a set on the ballot according to which nominee for governor is seeking office with which nominee for lieutenant governor, as prescribed by law. An elector shall cast only one vote for both a nominee for governor and a nominee for lieutenant governor. The returns of every election for governor and lieutenant governor shall be sealed and transmitted to the seat of government of the state, and directed to the speaker of the house of representatives who shall open and publish them in the presence of both houses of the general assembly.

3. Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If, upon the completion by the general assembly of the canvass of votes for governor and lieutenant governor, it appears that the nominee for governor in the set of nominees for governor and lieutenant governor receiving the highest number of votes has since died or resigned, is unable to qualify, fails to qualify, or is for any other reason unable to assume the duties of the office of governor for the ensuing term, the powers and duties shall devolve to the nominee for lieutenant governor of the same set of nominees for governor and lieutenant governor, who shall assume the powers and duties of governor upon inauguration and until the disability is removed. If both nominees for governor and lieutenant governor are unable to assume the duties of the office of governor, the person next in succession shall act as governor.

4. Section 5 of Article IV of the Constitution of the State of Iowa is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 5. Contested elections for the offices of governor and lieutenant governor shall be determined by the general assembly as prescribed by law.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 15 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 15. The official terms of the governor and lieutenant governor shall commence on the Tuesday after the second Monday of January next after their election and shall continue until their successors are elected and qualify. The governor and lieutenant governor shall be paid compensation and expenses as provided by law. The lieutenant governor, while acting as governor, shall be paid the compensation and expenses prescribed for the governor.

2. Section 18 of Article IV of the Constitution of the State of Iowa is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 18. The lieutenant governor shall have the duties provided by law and those duties of the governor assigned to the lieutenant governor by the governor.

3. Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the Amendments of 1952 is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 19. If there be a vacancy in the office of the governor and the lieutenant governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of governor, the president of the senate shall act as governor until the vacancy is filled or the disability removed; and if the president of the senate, for any of the above causes, shall be incapable of performing the

duties pertaining to the office of governor the same shall devolve upon the speaker of the house of representatives; and if the speaker of the house of representatives, for any of the above causes, shall be incapable of performing the duties of the office of governor, the justices of the supreme court shall convene the general assembly by proclamation and the general assembly shall organize by the election of a president by the senate and a speaker by the house of representatives. The general assembly shall thereupon immediately proceed to the election of a governor and lieutenant governor in joint convention.

Sec. 3. The foregoing proposed amendments to the Constitution of the State of Iowa are referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause them to be published for three consecutive months before the date of that election as provided by law.

## CHAPTER 1252

### JUDICIAL NOMINATING COMMISSIONS

*First Time Passed S.J.R. 2002*

**A JOINT RESOLUTION** proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation and gender of members of judicial nominating commissions.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. The following amendment to the Constitution of the State of Iowa is proposed: Unnumbered paragraph 3, section 16, Article V of the Constitution of the State of Iowa, as adopted by the amendment of 1962 is amended by striking the paragraph and adopting in lieu thereof the following:

Due consideration shall be given to area and gender representation in the appointment and election of Judicial Nominating Commission members. Appointive and elective members of Judicial Nominating Commissions shall serve for six-year terms, are ineligible for a second six-year term on the same commission, shall hold no office of profit of the United States or of the state during their terms, and shall have other qualifications as prescribed by law. As near as may be, the terms of one-third of the members shall expire every two years.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause it to be published for three consecutive months before the date of that election as provided by law.

## CHAPTER 1253

### ADMINISTRATIVE RULE NULLIFICATION

*S.J.R. 2003*

**A JOINT RESOLUTION** to nullify an administrative rule on required permit application for certain feedlots.

*Be It Resolved by the General Assembly of the State of Iowa:*

Section 1. Iowa administrative code 900-65.3, subrule 1, paragraph c, is nullified.